

REMARKS

Claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62-63, 71 and 96-98 were pending in this application. In the Office Action dated September 9, 2009, claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62-63, 71 and 96-98 were rejected.

Claims 1, 21, 59, 71, 96 and 98 are hereby amended to recite inherent aspects of the invention as originally claimed.

Reconsideration of this application as amended, and allowance of all pending claims 1, 12, 13, 15, 17-22, 25, 32, 40-42, 59, 62-63, 71 and 96-98 are hereby respectfully requested.

Summary Statement of Substance of Interview

Applicant's representative, Dohyun Ahn (Reg. No. 63,237), conducted a telephonic interview with Examiner Antim G. Shah on November 12, 2009. During the interview, rejection under 35 U.S.C. § 112, second paragraph; and rejections under 35 U.S.C. § 103(a) was discussed.

An agreement was reached that the claims, as amended herein, would overcome the rejection under 35 U.S.C. § 112, second paragraph. An agreement was also reached that the claims, as amended herein, would overcome the rejection under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2007/0041545 to Gainsboro ("Gainsboro") and U.S. Patent Application Publication No. 2003/0091028 to Chang et al. ("Chang").

Response to Rejection Under 35 U.S.C. § 112, Second Paragraph

In the Office Action, claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62-63 and 96-98 have been rejected under 35 U.S.C. § 112, second paragraph, as not specifically pointing out and distinctly claiming the subject matter that the Applicants regard as the invention.

Specifically, it is stated in the Office Action, that “first VoIP data packets,” “first call signals,” “second VoIP data packets,” “second call signal,” and “first telephone carrier network” are not supported by the specification.

Claims 1, 59 and 96 are hereby amended to replace “first VoIP data packets,” and “second VoIP data packets” with “outgoing VoIP data packets,” and “incoming VoIP data packets,” respectively. In these claims, “first call signals,” and “second call signals” are also replaced with “outgoing call signals,” and “incoming call signals,” respectively.

Further, it was agreed during the telephone interview that no amendment was needed for the “first telephone carrier network.” The support for “first telephone carrier network” can be found, for example, in paragraph [0035] of the specification.

Hence, the rejection of claims 1, 59 and 96, and their dependent claims 12-13, 15, 17-22, 25, 32, 40-42, 62-63 and 97-98 based on 35 U.S.C. § 112, second paragraph is overcome in view of the amendments.

Rejection under 35 U.S.C. §103(a)

In the Office Action, claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62, 63, 71 and 96-98 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Gainsboro, Chang, U.S. Patent No. 7,333,798 to Hodge (“Hodge”) and U.S. Patent No. 6,985,478 to Pogossiants et al. (“Pogossiants”).¹ The rejection of claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62, 63, 71 and 96-98 are overcome in view of the amendments.

Independent claim 1, as amended, specifically recites, in part:

¹ Page 3 of the Office Action states that claim 3 was also rejected based on 35 U.S.C. § 103(a). However, claim 3 was canceled and is not pending in this application. Hence, claim 3 is not addressed in the remarks.

... a networking device connected via digital data links to call processing gateways at the multiple prison facilities to collect outgoing Voice over Internet Protocol (VoIP) data packets ... the plurality of prison facilities located remotely from the call processing system, each of the plurality of prison facilities including a plurality of telephone terminals;

an unauthorized call activity detection system co-located with the networking device ... ; and

a call application management system co-located with the networking device ... for at least processing the outgoing VoIP data packets from the plurality of prison facilities into outgoing call signals and transmitting the outgoing call signals to a first telephone carrier network, the call application management system receiving incoming call signals from the first telephone carrier network and processing the incoming call signals into the incoming VoIP data packets for distribution to the plurality of prison facilities by the networking device.

The centralized call processing system of claim 1 includes a networking device, an unauthorized call activity detection system and a call application management system. The networking device, the authorized call activity system and the call application management system are remotely located from a plurality of prison facilities and are co-located in the centralized call processing system.

The feature of “a networking device connected via digital data links to call processing gateways at the multiple prison facilities ... the plurality of prison facilities located remotely from the call processing system ... an unauthorized call activity detection system co-located with the networking device ... ; and a call application management system co-located with the networking device” is advantageous because, among other reasons, call processing for multiple prison facilities is performed at a centralized location. In this way, the need to provide various equipments for implementing various call processing functionalities at each prison facility may be obviated.

Gainsboro fails to disclose this feature. In Gainsboro, facility management unit (FMU) 201 for call processing is installed at each prison facility. See Gainsboro, paragraphs [0034] and [0074]; and FIG. 2. FMU 201 in the facilities selectively connects institutional telephones to one or more outside phone lines. Although Gainsboro also discloses FMU 231 (distinct from FMU 201) at a Central Office, FMU 231 appears to perform only network monitoring and administrative tasks. See Gainsboro, paragraph [0084]. That is, FMU 231 at Central Office does not perform call processing or unauthorized call detection. Therefore, Gainsboro fails to disclose the feature of “a networking device connected via digital data links to call processing gateways at the multiple prison facilities . . . the plurality of prison facilities located remotely from the call processing system . . . an unauthorized call activity detection system co-located with the networking device . . . ; and a call application management system co-located with the networking device,” as recited in claim 1.

Nor does Chang disclose this feature. Chang was cited in the Office Action merely for allegedly disclosing gateways to collect VoIP data packets associated with calls to multiple facilities. Nowhere in Chang does it disclose anything about a call processing system located remotely from a plurality of prison facilities.

Hodge also fails to disclose this feature. Hodge was cited in the Office Action merely for allegedly disclosing a justice application system. Nowhere in Hodge does it disclose anything about a call processing system located remotely from a plurality of prison facilities.

Nor does Pogossiants disclose this feature. Pogossiants was cited in the Office Action merely for allegedly disclosing a session initiation protocol (SIP). Nowhere in Pogossiants does it disclose anything about a call processing system located remotely from a

plurality of prison facilities.

Hence, Gainsboro, Chang, Hodge and Pogossians fail to disclose the feature of “a networking device connected via digital data links to call processing gateways at the multiple prison facilities . . . the plurality of prison facilities located remotely from the call processing system . . . an unauthorized call activity detection system co-located with the networking device . . . ; and a call application management system co-located with the networking device,” as recited in claim 1. Therefore, claim 1, as amended, is patentably distinguishable over Gainsboro, Chang, Hodge and Pogossians.

Claims 12-13, 15, 17-22, 25, 32, 40-42 and 96 depend from claim 1. Therefore, the same arguments set forth above for claim 1 are equally applicable to claims 12-13, 15, 17-22, 25, 32, 40-42 and 96.

Independent claim 59 specifically recites, in part:

- . . . a call processing system at a location collecting outgoing Voice over Internet Protocol (VoIP) data packets. . . the plurality of prison facilities located remotely from the call processing system . . . ;
- the call processing system processing the outgoing VoIP data packets from the plurality of prison facilities . . . ;
- the call processing system processing incoming call signals. . . ;
- the call processing system detecting unauthorized three-way call activity associated with the calls; and
- the call processing system distributing the incoming VoIP data packets associated with the calls to the plurality of prison facilities via the digital data links.

In the method of claim 59, a call processing system at a location remote from a plurality of prison facilities collects outgoing VoIP data packets, processes the outgoing VoIP data packets, processes incoming call signals, detects the unauthorized three-way call

activities and distributes incoming VoIP data packets. Hence, claim 59 specifically states performing call processing at a call processing system remote from the plurality of prison facilities.

None of Gainsboro, Chang, Hodge and Pogossiants disclose the feature of “a call processing system at a location collecting outgoing Voice over Internet Protocol (VoIP) data packets. . . the call processing system processing the outgoing VoIP data packets . . . the call processing system processing incoming call signals. . . the call processing system detecting unauthorized three-way call activity. . . and the call processing system distributing the incoming VoIP data packets,” as recited in claim 59. As set forth above, none of Gainsboro, Chang, Hodge and Pogossiants disclose call processing for multiple prison facilities at a location remote from the plurality of prison facilities. Hence, claim 59 and its dependent claims 62, 63, 71, 97 and 98 are also patentably distinguishable over the cited references.

For at least the above reasons, claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62, 63, 71 and 96-98 are patentably distinguishable over the combination of Gainsboro, Chang, Hodge and Pogossiants.

Response to Rejection Under 35 USC 102(e)

In the Office Action, claims 1 and 59 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 7,505,406 to Spadaro (“Spadaro”). This rejection is overcome in view of the amendments.

Spadaro fails to disclose the feature of “a networking device connected via digital data links to call processing gateways at the multiple prison facilities . . . the plurality of prison facilities located remotely from the call processing system . . . an unauthorized call activity detection system co-located with the networking device . . . ; and a call application

management system co-located with the networking device,” as recited in claim 1. Spadaro at best discloses placing a plurality of Commander units at each sites 36, 38, 40 and 42. See Spadaro, col. 8, ll. 51-57. Commander is a programmable computer that provides switching, accessing, routing, timing, billing and control functions. See Spadaro, col. 2, ll. 45-53. Spadaro does not appear to disclose a centralized call processing system having a networking device, an unauthorized call, and a call application management system at the same location remote from a plurality of prison facilities. Therefore, claim 1 is patentably distinguishable over Spadaro.

Similar arguments are applicable to claim 59. Nowhere in Spadaro does it disclose the feature of “a call processing system at a location collecting outgoing Voice over Internet Protocol (VoIP) data packets. . . the call processing system processing the outgoing VoIP data packets . . . the call processing system processing incoming call signals. . . the call processing system detecting unauthorized three-way call activity. . . and the call processing system distributing the incoming VoIP data packets,” as recited in claim 59.

For at least these reasons, claims 1 and 59 are patentably distinguishable over Spadaro. Therefore, this rejection should be reconsidered and withdrawn.

Conclusion

It is submitted that all pending claims 1, 12-13, 15, 17-22, 25, 32, 40-42, 59, 62-63, 71 and 96-98, as amended, are in condition for allowance. Favorable action is solicited.

Respectfully Submitted,

Date: November 13, 2009

By: /Dohyun Ahn/
Dohyun Ahn, Reg. No. 63,237
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7291
Fax: (650) 938-5200